

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

IN RE BARD IVC FILTERS PRODUCTS
LIABILITY LITIGATION

No. 2:15-MD-02641-DGC

**SECOND AMENDED MASTER
SHORT FORM COMPLAINT FOR
DAMAGES FOR INDIVIDUAL
CLAIMS AND DEMAND FOR JURY
TRIAL**

Plaintiff(s) named below, for their Complaint against Defendants named below,
incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc. 364).

Plaintiff(s) further show the Court as follows:

1. Plaintiff/Deceased Party:

2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of
consortium claim:

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian,
conservator):

4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence
at the time of implant:

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5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of injury:

6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

7. District Court and Division in which venue would be proper absent direct filing:

8. Defendants (check Defendants against whom Complaint is made):
 - ☐ C. R. Bard Inc.
 - ☐ Bard Peripheral Vascular, Inc.
9. Basis of Jurisdiction:
 - ☐ Diversity of Citizenship
 - ☐ Other:

 - a. Other allegations of jurisdiction and venue not expressed in Master Complaint:

10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a claim (Check applicable Inferior Vena Cava Filter(s)):
 - ☐ Recovery[®] Vena Cava Filter
 - ☐ G2[®] Vena Cava Filter
 - ☐ G2[®] Express Vena Cava Filter
 - ☐ G2[®] X Vena Cava Filter
 - ☐ Eclipse[®] Vena Cava Filter
 - ☐ Meridian[®] Vena Cava Filter

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- ☐ Denali® Vena Cava Filter
- ☐ Other: _____
- 11. Date of Implantation as to each product:

- 12. Counts in the Master Complaint brought by Plaintiff(s):
 - ☐ Count I: Strict Products Liability – Manufacturing Defect
 - ☐ Count II: Strict Products Liability – Information Defect (Failure to Warn)
 - ☐ Count III: Strict Products Liability – Design Defect
 - ☐ Count IV: Negligence - Design
 - ☐ Count V: Negligence - Manufacture
 - ☐ Count VI: Negligence – Failure to Recall/Retrofit
 - ☐ Count VII: Negligence – Failure to Warn
 - ☐ Count VIII: Negligent Misrepresentation
 - ☐ Count IX: Negligence *Per Se*
 - ☐ Count X: Breach of Express Warranty
 - ☐ Count XI: Breach of Implied Warranty
 - ☐ Count XII: Fraudulent Misrepresentation
 - ☐ Count XIII: Fraudulent Concealment
 - ☐ Count XIV: Violations of Applicable _____ (insert state) Law Prohibiting Consumer Fraud and Unfair and Deceptive Trade Practices
 - ☐ Count XV: Loss of Consortium
 - ☐ Count XVI: Wrongful Death
 - ☐ Count XVII: Survival
 - ☐ Punitive Damages

☐ Other(s): _____ (please state the facts supporting this Count in the space immediately below)

13. Jury Trial demanded for all issues so triable?

☐ Yes

☐ No

RESPECTFULLY SUBMITTED this ____ day of _____, 20__.

[SIGNATURE BLOCK]

By: /s/
[Attorney name/address]

I hereby certify that on this ____ day of _____, 20__, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing.

 /s/

CERTIFICATE OF SERVICE

I hereby certify that on October 26, 2016, a copy of the foregoing was served electronically and notice of the service of this document will be sent to all parties by operation of the Court's electronic filing system to the CM/ECF participants registered to receive service in this matter. Parties may access the filing through the Court's system.

/s/ Michael J. Walsh